IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

WP(C).No. 32818 of 2006(F)

PETITIONER:

GOPALAKRISHNAN KOYITTI,
L.D. TYPIST, DISTRICT COURT,
THALASSERY, KANNUR.

BY ADV. SRI.M.SASINDRAN
SRI.T.R.JAGADEESH

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
KANNUR.

2. THE SUPERINTENDENT,
MUNSIFF COURT, KUTHUPARAMBA, KANNUR.

3. THE SUPERINTENDENT,
DISTRICT COURT, THALASSERY.

4. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, DEPARTMENT P & ARD,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 32818 of 2006

Dated this the 18th day of December, 2006

JUDGMENT

The petitioner is a physically challenged person. Having regard to the qualifications possessed by him and having regard to the fact that he is in the rolls of the Employment Exchange, he has put forward a claim that he is entitled to be considered against 3% vacancies guaranteed by Section 33 of the Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act,1995. The petitioner complains that since proper action has not been taken by the concerned authorities, his claim has not been considered for appointment against the posts identified by the State Government to be filled up by physically challenged persons.

2. Learned Government Pleader, on instructions, submits that the statement made by the petitioner that no action has been taken by the concerned authorities to fill up the posts coming within the 3% quota referred to above, is not correct. Based on the information received by the Government Pleader, it is submitted that 17 vacancies were filled up in 2005 and 13 vacancies have been filled up in 2006 by appointing physically challenged persons by following the scheme formulated by the Government under the Central Act referred to

above. It is also submitted that 21 vacancies have been reported to the Employment Exchange requesting to sponsor eligible and qualified candidates to be appointed against the quota reserved for physically challenged persons.

3. In the above circumstances, I feel that the writ petition can be disposed of directing the respondents to expedite the measures taken to fill up 21 vacancies in the year 2006. Ext.P7 is a representation filed by the petitioner and pending before the first respondent District Collector.

4. The second respondent shall consider Ext.P7, expedite action already taken to fill up 21 vacancies and pass orders, in accordance with law, within one month on the petitioner producing a copy of the judgment along with a copy of the writ petition.

K.K.DENESAN, JUDGE

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